



**PATENT**

Attorney Docket No. A-70142-001 (27523/US/1)/RM  
Dorsey File No. 469008-97

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

MCGARRY et al.

U.S. Serial No.: 10/665,389

Filing Date: September 18, 2003

For: *Method and Apparatus for Performing  
Biological Reactions on a Substrate  
Surface*

Examiner: Not yet assigned

Art Unit: 1645

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on March 11, 2004

Signed: \_\_\_\_\_

Joyce Abriam

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. Copies of the references are enclosed.

None of the foregoing references is believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this supplemental Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

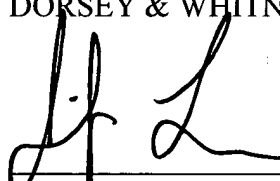
While no fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 469008-97 [A-70142-1 (27523/US/1)/RM]).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: 3/11/04  
Dorsey & Whitney LLP  
Intellectual Property Department  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
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BY:

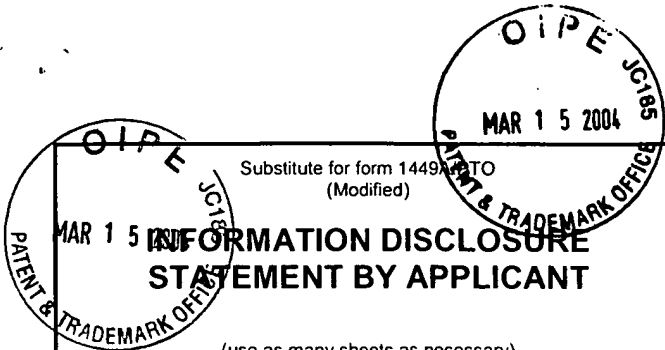
  
Jennifer Lane, Reg. No. 51,916 for  
Robin M. Silva, Reg. No. 38,304

Filed under 37 C.F.R. § 1.34(a)

Customer Number: **32940**

Attachment:

Form PTO/SB/8A-B, Substitute for form PTO 1449 (3 pgs.)  
Eleven (11) references



Substitute for form 1449A-PTO  
(Modified)

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet **1** of **4**

### Complete if Known

Application Number	10/665,389
Filing Date	September 18, 2003
First Named Inventor	Mark W. McGARRY
Art Unit	1645
Examiner Name	Not yet assigned
Attorney Docket Number	A-70142-1 (27523/US/1)/RM

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	4,908,319	03-13-1990	Smyczek et al.	
	A2	5,038,852	08-13-1991	Johnson et al.	
	A3	5,064,618	11-12-1991	Baker et al.	
	A4	5,100,775	03-31-1992	Smyczek et al.	
	A5	5,192,507	03-09-1993	Taylor et al.	
	A6	5,296,375	03-22-1994	Kricka et al.	
	A7	5,304,487	04-19-1994	Wilding et al.	
	A8	5,414,556	05-00-1995	Focht et al.	
	A9	5,438,607	08-01-1995	Pryzgoda, Jr. et al.	
	A10	5,486,335	01-23-1996	Wilding et al.	
	A11	5,498,392	03-12-1996	Wilding et al.	
	A12	5,519,635	05-21-1996	Miyake et al.	
	A13	5,545,531	08-13-1996	Rava et al.	
	A14	5,583,043	12-00-1999	Sakariassen	
	A15	5,585,069	12-17-1996	Zanzucchi et al.	
	A16	5,587,128	12-24-1996	Wilding et al.	
	A17	5,593,838	01-14-1997	Zanzucchi et al.	
	A18	5,603,351	02-18-1997	Cherukuri et al.	
	A19	5,603,711	02-00-1997	Parins et al.	
	A20	5,605,662	02-25-1997	Heller et al.	
	A21	5,631,734	05-20-1997	Stern et al.	
	A22	5,635,358	06-03-1997	Wilding et al.	
	A23	5,637,469	06-10-1997	Wilding et al.	
	A24	5,681,484	10-28-1997	Zanzucchi et al.	
	A25	5,741,411	04-21-1998	Yeung et al.	
	A26	5,741,462	04-21-1998	Nova et al.	
	A27	5,741,463	04-00-1998	Sanadi	
	A28	5,755,942	05-26-1998	Zanzucchi et al.	
	A29	5,834,758	11-10-1998	Trulson et al.	
	A30	5,863,504	01-26-1999	Heffelfinger et al.	
	A31	5,866,345	02-02-1999	Wilding et al.	
	A32	5,874,219	02-23-1999	Rava et al.	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2

Substitute for form 1449A/PTO (Modified)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/665,389
				Filing Date	September 18, 2003
				First Named Inventor	Mark W. McGARRY
				Art Unit	1645
				Examiner Name	Not yet assigned
Sheet	2	of	4	Attorney Docket Number	A-70142-1 (27523/US/1)/RM

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A33	5,885,531	03-23-1999	Heffelfinger et al.	
	A34	5,942,443	08-00-1999	Parce et al.	
	A35	5,945,334	08-31-1999	Besemer et al.	
	A36	5,989,402	11-23-1999	Chow et al.	
	A37	6,050,719	04-18-2000	Winkler et al.	
	A38	6,054,277	04-25-2000	Furcht et al.	
	A39	6,066,448	05-23-2000	Wohlstadter et al.	
	A40	6,096,561	08-01-2000	Tayi	
	A41	6,114,122	09-05-2000	Besemer et al.	
	A42	6,140,045	10-00-2000	Wohlstadter et al.	
	A43	6,197,595	03-00-2001	Anderson et al.	
	A44	6,258,593	07-10-2001	Schembri et al.	
	A45	6,300,141 B1	10-09-2001	Segal et al.	
	A46	6,309,889 B1	10-00-2001	Cutler et al.	
	A47	6,326,211	12-04-2001	Anderson et al.	
	A48	6,579,231 B1	06-00-2003	Phipps	
	A49	2002/0022261	02-00-2002	Anderson et al.	
	A50	2002/0058331	05-00-2002	Besemer et al.	
	A51	2002/0164235	11-00-2002	Norris et al.	
	A52	2002/0174884	11-00-2002	Certa et al.	
	A53	2003/0003499	01-00-2003	Besemer et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	B1	EP 0637996 B1	02-15-1995	The Trustees of the University of Pennsylvania		
	B2	EP 0637998 B1	02-15-1995	The Trustees of the University of Pennsylvania		
	B3	WO 96/15450 A1	12-17-1996	David Sarnoff Research Center		

Examiner Signature		Date Considered	
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Signature**

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(use as many sheets as necessary)

Sheet

4

of

4

Attorney Docket Number

**Complete if Known**

Application Number

**10/665,389**

Filing Date

**September 18, 2003**

**First Named Inventor**

**Mark W. McGARRY**

Art Unit

1645

Examiner Name

**Not yet assigned**

Attorney Docket Number

**A-70142-1 (27523/US/1)/RM**

## NON PATENT LITERATURE DOCUMENTS

Examiner  
Initials\*Cite<sub>1</sub>  
No. 1

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

 $T^6$ 

**C1**

BISSON, C., et al., "A Microanalytical Device for the Assessment of Coagulation Parameters in Whole Blood", *Solid-State Sensor and Actuator Workshop*, Hilton Head Island, SC, June 8-11, 1998:1-6.

Date Considered

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